



U.S. Department of Justice

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November 17, 2006

The Honorable Mary Pat Thyng
U.S. District Magistrate Judge
U.S. District Court
844 King Street
Wilmington, DE 19801

**Re: United States v. Jose Curiel-Estrada
Criminal Action No. 06-02PO-MPT**

Dear Judge Thyng:

Eleni Kousoulis, counsel for the defendant, has informed me that the defendant accepts the Government's plea offer. Therefore, the parties respectfully request that the Court schedule a change of plea hearing. A copy of the proposed Memorandum of Plea Agreement is attached.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY:

A handwritten signature in cursive script, reading "Beth Moskow-Schnoll", is written over a horizontal line.

Beth Moskow-Schnoll
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 06-02PO-MPT
	:	
JOSE CURIEL-ESTRADA,	:	
	:	
Defendant.	:	

MEMORANDUM OF PLEA AGREEMENT

Pursuant to discussions between the United States of America, by and through its attorney, Beth Moskow-Schnoll, Assistant United States Attorney for the District of Delaware, and on behalf of and with the consent and knowledge of Colm F. Connolly, United States Attorney for the District of Delaware, and the defendant, Jose Curiel-Estrada, by and through his attorney, Eleni Kousoulis, Esquire, the following agreement is hereby entered into by the respective parties:

1. The defendant, Jose Curiel-Estrada, agrees to plead guilty to Count One of the Information charging him with a violation of Title 8, United States Code, Section 1325(a)(1), entering without inspection. This violation carries a maximum penalty of imprisonment for not more than six months, a \$5,000 fine, and a \$10.00 special assessment.

2. The defendant agrees to pay the \$10 special assessment at the time of sentencing.

3. The defendant understands that if he were to proceed to trial on Count One of the Information, the Government would have to prove each of the following elements of that offense beyond a reasonable doubt: (a) at the time charged in the Information, the defendant was an alien; and (b) the defendant knowingly entered the United States (c) at a time or place other

than as designated by immigration officers.

4. The defendant knowingly, voluntarily, and intelligently admits that: (a) he is a citizen of Mexico; and (b) in 2002, he entered the United States from Mexico at a point near Nogales, Arizona, without inspection by immigration officials.

5. It is further agreed by the parties that this Memorandum supersedes all prior promises, representations, and statements of the undersigned parties; that this Memorandum may be modified only in writing signed by all the parties; and that any and all promises, representations and statements made prior to or after this Memorandum are null and void and have no effect whatsoever, unless they comport with the subsequent written modification requirements of this paragraph.

COLM F. CONNOLLY
United States Attorney

BY: _____
Beth Moskow-Schnoll
Assistant United States Attorney

Jose Curiel-Estrada
Defendant

Eleni Kousoulis
Attorney for Defendant

Dated:

AND NOW, this ____ day of _____, 2006, the foregoing Memorandum of
Plea Agreement is hereby (accepted) (rejected) by this Court.

Honorable Mary Pat Thyng
United States Magistrate Judge